

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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Western Waterproofing Company, Inc., *et al.*,

Plaintiff,

—v—

Zurich American Insurance Company, *et al.*,

Defendants.

20-cv-3199 (AJN)

ORDER

ALISON J. NATHAN, District Judge:

On September 29, 2021, Plaintiff Western Waterproofing Company moved the Court for a partial lift of the stay of discovery as between Western Waterproofing and Defendants BDG Gotham Residential, LLC; ZDG, LLC; and Allied World Specialty Insurance Company. Dkt. No. 157. The Court ordered those Defendants to submit responses to the motion. Dkt. No. 159. Each Defendant stated that it did not oppose the lift of the stay. Dkt. Nos. 167, 169. But the intervening Defendants, Starr Indemnity & Liability Company and Navigators Insurance Company, noted their opposition, arguing that a partial lift of the stay of discovery would create an “unfair” and “duplicative” “two track” discovery process. Dkt. No. 168. The intervening Defendants requested that the Court maintain the stay as to all parties until the Court resolves the pending motions for summary judgment. *Id.*

For substantially the reasons stated in Western Waterproofing’s brief, Dkt. No. 158, the Court GRANTS Western Waterproofing’s motion.

This resolves docket number 157.

SO ORDERED.

Dated: October 1, 2021
New York, New York



ALISON J. NATHAN
United States District Judge